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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA	) Criminal No. CR 11-00797 CRB (JS)
	)
14	) STIPULATION AND <del>(PROPOSED)</del>
15 v.	) ORDER EXCLUDING TIME UNDER
16	) THE SPEEDY TRIAL ACT FROM
17 JAMES DOHERTY,	) NOVEMBER 21, 2011 TO JANUARY
	) 11, 2012
18 Defendant.	)
19	)
	)

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21 On November 21, 2011, the parties in this matter appeared before the Honorable  
22 Magistrate Judge Joseph C. Spero for an initial appearance and arraignment. During this  
23 appearance, the parties stipulated that time should be excluded from the Speedy Trial Act  
24 calculations from November 21, 2011 until January 11, 2012 for effective preparation of counsel.  
25 The parties represented that granting the continuance was for the reasonable time necessary for  
26 effective preparation of defense counsel, taking into account the exercise of due diligence. See  
27 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

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1 The parties also agree that the ends of justice served by granting such a continuance  
2 outweigh the best interests of the public and the defendants in a speedy trial. See 18 U.S.C.  
3 § 3161(h)(7)(A).

4 SO STIPULATED:

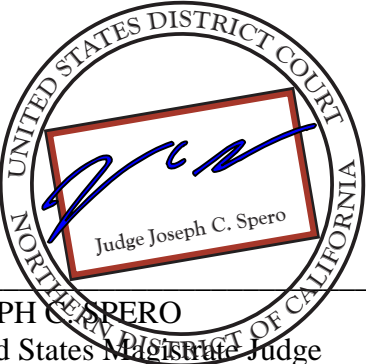
5 \_\_\_\_\_/s/\_\_\_\_\_  
6 Brian Getz  
7 Counsel for Defendant James Doherty

\_\_\_\_\_ /s/\_\_\_\_\_  
David J. Ward  
Jeane Hamilton  
Albert B. Sambat  
Christina M. Wheeler  
Manish Kumar  
Trial Attorneys  
United States Department of Justice  
Antitrust Division

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13 As the Court found on November 21, 2011, and for the reasons stated above, the Court  
14 finds that an exclusion of time from November 21, 2011 to January 11, 2012, is warranted and  
15 that the ends of justice served by the continuance outweigh the best interests of the public and  
16 the defendant in a speedy trial. See 18 U.S.C. § 3161 (h)(7)(A). The failure to grant the  
17 requested continuance would deny the defendant and deny defense counsel the reasonable time  
18 necessary for effective preparation, taking into account the exercise of due diligence, and would  
19 result in a miscarriage of justice. See 18 U.S.C. § 3161(h)(7)(B)(iv).  
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21  
22 SO ORDERED.

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26 DATED: 11/23/11 \_\_\_\_\_

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JOSEPH C. SPERO  
United States Magistrate Judge